

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LANCE MILES FUNDERBURK,

Plaintiff,

-against-

C.O. "JOHN" BARONNETTE (#7739), C.O.
"JOHN" SMITH (#6078), and "JOHN"
CHARLES,

Defendants.

1:19-cv-10365-MKV

ORDER

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/28/2020

MARY KAY VYSKOCIL, United States District Judge:

On February 27, 2020, counsel for Interested Party, the City of New York, moved via letter for an indefinite stay of this action pending the results of a Department of Corrections investigation concerning the events in Plaintiff's complaint (ECF #23). Weighing the seriousness of the allegations in Plaintiff's complaint and the prejudice to him against the interests discussed in the letter, the request is GRANTED IN PART. It is hereby:

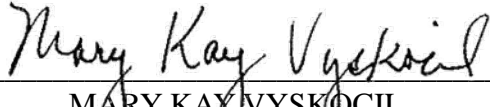
ORDERED that the case is stayed for 60 days.

IT IS FURTHER ORDERED that counsel for the City of New York, is directed to update the court via letter on the status of the investigation at the Department of Corrections at least five days before the expiration of the stay. The Court will continue the stay only if good cause is shown.

IT IS FURTHER ORDERED that Counsel for the City of New York must inform the Court via letter within five days of the completion of the internal investigation. As part of that letter, counsel is directed to explain the relevant conclusions of the investigation and whether the Individual Defendants are represented by the New York City Law Department.

SO ORDERED

Dated: New York, New York
February 28, 2020


MARY KAY VYSKOCIL
United States District Judge